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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

00801.0179.CPUS01

First Inventor

Kenneth E. Palmer

Title

ROLLING CIRCLE REPLICON EXPRESSION  
VECTORS

Express Mail

EL225649619US

PTO  
10/038001  
J1036 U.S.

12/20/01

**APPLICATION ELEMENTS**

ADDRESS TO:

Commissioner for Patents

Box Patent Application  
Washington, DC 20231

See MPEP Chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)  
Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 40]  
(preferred arrangement set forth below)  
-Descriptive title of the invention  
-Cross reference to Related Applications  
-Statement Regarding Fed Sponsored R & D  
-Reference to sequence listing, a table,  
or a computer program listing appendix  
-Background of the Invention  
-Brief Summary of the Invention  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 25]

5. ☐ Oath or Declaration [Total Pages ]  
a. ☐ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuational divisional with Box 17 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☒ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)  
8. ☒ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment papers (cover sheet & document(s))  
10. ☐ 37 CFR 3.73(b) Statement of Power of  
(when there is an assignee) Attorney  
11. ☐ English Translation Document (if applicable)  
12. ☐ Information disclosure Statement (IDS)/PTO-1449 Copies of IDS  
Citations  
13. ☐ Preliminary Amendment  
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
16. ☐ Other Appendix A, B, and C

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No. n/a

Prior application information: Examiner Group I Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

Name Albert P. Halluin

Address Howrey Simon Arnold & White, LLP  
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NAME (Print/Type)

Albert P. Halluin

Registration No. (Attorney/Agent)

25,227

Signature

*Albert P. Halluin*

Date

12/20/01

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if known

Application Number	
Filing Date	
First Named Inventor	Kenneth E. Palmer
Examiner Name	
Group Art Unit	
Attorney Docket No.	00801.0179.CPUS01

Express Mail Label No. EL 225649619US  
TOTAL AMOUNT OF PAYMENT \$872.00

### METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Acct. No. 08-3038

Deposit Account Name Howrey Simon Arnold & White, LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See CFR 1.27.

2. ☐ Payment Enclosed:  
☐ Check ☐ Credit Card ☐ Money ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 710.00)

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fees Paid
29	-20**= 9	18	162.00
Independent Claims	2	-3**= 0	0.00
Multiple Dependent		270	0.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 162.00)

\*\*or number previously paid, if greater, For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

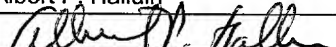
Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge—late filing fee or oath	
127	50	227	25	Surcharge—late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner Action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner Action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	219	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR §1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR §1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

### SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Albert P. Halluin	Registration No. (Attorney/Agent)	25,227	Telephone	(858) 622-5100
Signature		Date	12/20/01		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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**HOWREY SIMON ARNOLD & WHITE, LLP**  
**301 Ravenswood Avenue, Box No. 34**  
**Menlo Park, CA 94025**  
**(650) 463-8100**

***Box Patent Application – Continuation in Part***

COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Re: New U.S. Non-Provisional Utility Patent Application  
Continuation-in-Part of U.S. Application No. 09/505,477,  
Filed: February 16, 2000  
For: ROLLING CIRCLE REPLICON EXPRESSION VECTORS  
Inventors: Kenneth E. Palmer, Gregory P. Pogue and Alison McCormick.  
Our Ref: 00801.0179.CPUS01

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a continuation-in-part application of prior Application No. 09/505,477, consisting of the following documents:

1. Utility Patent Application Transmittal Form (PTO/SB/05);
2. Patent Application consisting of 40 pages, to include 4 pages of claims and 1 page abstract;
3. Figures 1 through 13B, consisting of 25 sheets;
4. Fee Transmittal Form (PTO/SB/17);
5. Sequence Listing in 8 pages
6. Statement Regarding Sequence Submission in 1 page; and
7. Return postcard.

It is respectfully requested that the enclosed return postcard be stamped with the filing date and unofficial application number and returned to this office as soon as possible.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. **08-3038** referencing docket number 00801.0179.CPUS01.CPUS01.

Respectfully submitted,

Date: 12/20/01

  
Albert P. Halluin, Reg. No. 25,227

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail No. EL225649619US in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231. Washington, D.C. 20231.

12-20-01  
Date of Mailing

Kory Mingos  
Name of Person Mailing Paper

  
Signature of Person Mailing Paper

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Palmer, Kenneth E. et al.**

Application No.: **To be assigned**

Filed: **To be assigned**

For: **ROLLING CIRCLE REPLICON  
EXPRESSION VECTORS**

Art Unit: To be assigned

Examiner: To be assigned

**Statement Regarding Sequence Submission**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above-mentioned application are the same.

Respectively submitted,

Dated: 12/20/01

Albert P. Halluin  
Albert P. Halluin, Reg. No. 25, 227

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